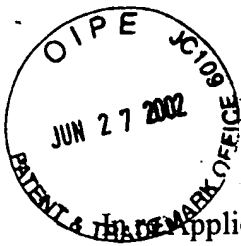


2164



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kitchen, et al

Serial No.: 9/895.092

Group Art Unit: 2164

Date Filed: June 29, 2001

For: Method and Apparatus for Buying and  
Selling Goods and Services

Attorney Docket No. ENR002/136488-  
ENW

COPY OF PAPERS  
ORIGINALLY FILED

CERTIFICATE OF MAILING  
Under 37 CFR 1.8

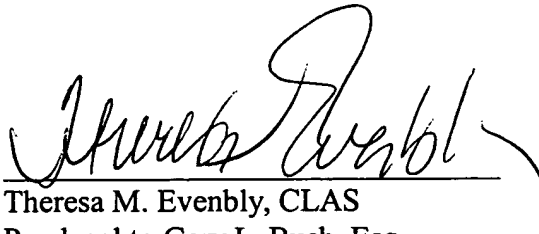
Date of Deposit: June 20, 2002

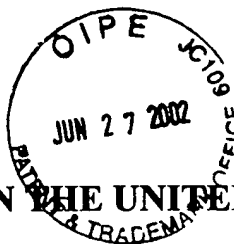
I hereby certify that this correspondence containing:

1. Power of Attorney/Revocation of Prior Powers
2. Statement of Assignee Under 37 CFR 3.73
3. Copy of Assignment document evidencing inventor assignment to Enron Net Works LLC.
4. The Commissioner is hereby authorized to charge any fee deficiencies or credit any fee overpayment to Andrews & Kurth, Deposit Account No. 50-0897 (138993/ENR002).

on the date shown indicated above is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to Commissioner of Patents and Trademarks, Washington, DC 20231.

RECEIVED  
JUL 08 2002  
GROUP 3600

  
Theresa M. Evenbly, CLAS  
Paralegal to Gary L. Bush, Esq.



ATTY DOCKET NO.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kitchen, et al

Serial No.: 9/895.092

Date Filed: June 29, 2001

For: Method and Apparatus for Buying and  
Selling Goods and Services

Examiner:  
Art Unit:

*\*NOTE: Insert name(s) of inventor(s) and title also for patent.*

Assistant Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY  
(REVOCATION OF PRIOR POWERS)**

**RECEIVED**  
JUL 08 2002  
**GROUP 3600**

As Applicant/Assignee of record of the entire interest of the above identified

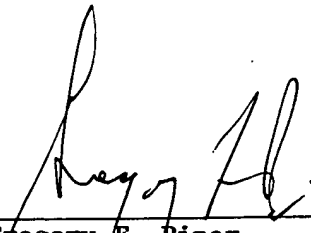
- ☒ application,  
☐ patent,

**REVOCATION OF PRIOR POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW POWER OF ATTORNEY**

In accordance with 37 C.F.R. § 1.36, the undersigned hereby revokes all prior powers of attorney entered in the instant patent and appoints James L. Jackson, Registration No. 20,791 and Gary L. Bush, Registration No. 27,423 each an attorney or agent of the firm of Andrews & Kurth - Mayor, Day, Caldwell & Keeton, L.L.P., as its attorney or agent for so long as they remain with such firm to prosecute and transact all business in the Patent and Trademark Office in connection therewith. All future actions and correspondence may be directed to:

**Gary L. Bush, Esq.**  
**Andrews & Kurth**  
**Mayor, Day, Caldwell, and Keeton, L.L.P.**  
**700 Louisiana, Suite 1900**  
**Houston, Texas 77002-2778**  
**713/225-7106 (telephone)**  
**713/225-7047 (facsimile)**  
**gbush@akllp.com**

Sincerely,

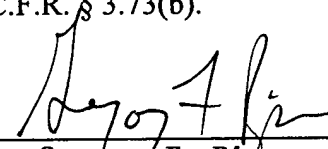
  
Name: Gregory F. Piper  
Title: President

Date: June 5, 2002

- ☒ Recorded in PTO on \_\_\_\_\_  
Reel \_\_\_\_\_  
Frame \_\_\_\_\_  
☐ Recorded herewith

**ASSIGNEE STATEMENT**  
(if applicable)

Attached to this power is a "STATEMENT UNDER 37 C.F.R. § 3.73(b)."

  
Name: Gregory F. Piper  
Title: President

Date: June 5, 2002

*NOTE: The assignee of the entire interest may revoke previous powers and be represented by an attorney of his or her selection. 37 C.F.R. § 1.36.*

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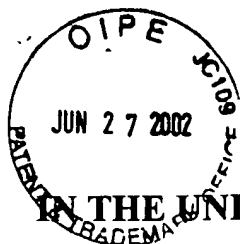
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ATTY DOCKET NO. ENR002

COPY OF PAPERS  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kitchen, et al

Serial No.: 9/895.092

Date Filed: June 29, 2001

For: Method and Apparatus for Buying and  
Selling Goods and Services

Examiner:  
Art Unit:

\*NOTE: Insert name(s) of inventor(s) and title also for patent.

Assistant Commissioner for Patents  
Washington, D.C. 20231

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JUL 08 2002  
GROUP 3600

STATEMENT UNDER 37 CFR 3.73(b)—  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

NOTE: 37 CFR 3.73(b) states "when an assignee seeks to take action in a matter before the Office with respect to a patent application . . . , patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g. reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Document submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18."

1. The assignee of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

2. IDENTIFICATION OF ASSIGNEE

Name of Assignee: ENRON NET WORKS, L.L.C.

Type of Assignee, eg. Corporation, partnership, university, etc.: a limited liability corporation

3. Person Authorized to Sign.

Name of Person Authorized to sign on behalf of assignee: Gregory F. Piper

Title of Person authorized to sign: President

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g. corporation, partnership, university, government agency, etc.).

- "(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.
- (2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give a rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee

#### 4. BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☒ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.
2. ☐ An assignment (document) separately being submitted for recordal herewith.

AND/OR

B.

☐ A chain of title from the Inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_  
To: \_\_\_\_\_

Recorded in the PTO:

Reel: \_\_\_\_\_

Frame: \_\_\_\_\_

2. From: \_\_\_\_\_  
To: \_\_\_\_\_

Recorded in the PTO:

Reel: \_\_\_\_\_

Frame: \_\_\_\_\_

3. From: \_\_\_\_\_  
To: \_\_\_\_\_

Recorded in the PTO:

Reel: \_\_\_\_\_

Frame: \_\_\_\_\_

(check item below, and add details, if applicable)

☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

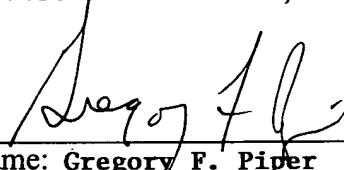
5. COPIES OF DOCUMENTS IN CHAIN OF TITLE

(complete this item, if copies are being sent)

☒ Copies of the Assignment(s) or other document(s) in the chain of title are attached as follows:

<input checked="" type="checkbox"/>	A	<input type="checkbox"/>	1	<input type="checkbox"/>	2	
<input type="checkbox"/>	B	<input type="checkbox"/>	1	<input type="checkbox"/>	2	<input type="checkbox"/> 3

ENRON NET WORKS, L.L.C.

  
Name: Gregory F. Piper  
Title: President  
Signature of Authorized Person

Date: June 5, 2002

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